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DT06 Rec'd PCT/PTO 11 OCT 2002

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•Admitted only in Texas  
•Practice Limited to Federal Agencies

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### Box Missing Parts

Commissioner for Patents  
Washington, D.C. 20231

Re: National Phase of PCT/CA00/01150  
Appl. No. 10/089,177; § 371 Date: *To Be Determined*  
For: **Highly Conserved Genes and Their Use to Generate Species-Specific, Genus-Specific, Family-Specific, Group-Specific and Universal Nucleic Acid Probes and Amplification Primers to Rapidly Detect and Identify Algal, Archael, Bacterial, Fungal and Parasitical Microorganisms from Clinical Specimens for Diagnosis**

Inventors: Bergeron *et al.*  
Our Ref: 1619.0090000/SRL/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Photocopy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
2. Second Preliminary Amendment and Submission of Substitute Sequence Listing;
3. Paper copy of the substitute Sequence Listing;
4. One compact disc with the following:  
Machine format: IBM-PC  
Operating system capability: MS-Windows NT  
Files contained on disc: Sequence listing (compiled).txt

Commissioner for Patents  
October 11, 2002  
Page 2

File size: 1.90 MB (1,998,734 bytes)  
Date of file creation: October 8, 2002; and

5. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Peter A. Jackman  
Attorney for Applicants  
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Enclosures

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SKGF Rev. 2/15/02 dcw



UNITED STATES PATENT AND TRADEMARK OFFICE

**Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)**

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,177	Michel G Bergeron	1619.0090000/SRL/PJA
INTERNATIONAL APPLICATION NO.		
		PCT/CA00/01150
I.A. FILING DATE		PRIORITY DATE
09/28/2000		
<p style="text-align: center;">CONFIRMATION NO. 9698</p> <p style="text-align: center;">371 FORMALITIES LETTER</p> 		
		
*OC000000008605381*		

Date Mailed: 08/14/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
  - Indication of Small Entity Status
  - Assignee Statement
  - Biochemical Sequence Listing
  - Copy of the International Application
  - Copy of the International Search Report
  - Oath or Declaration
  - Preliminary Amendments
  - Request for Immediate Examination
  - Small Entity Statement

FIRE DEPARTMENT  
AUG 19 2002  
MSL 8/19  
SRL PAGE 8/19

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

# DOCKETED

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

Seq Listing Due October 14, 2002  
STAT BAR March 14, 2003

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
- For Rules Interpretation, call (703) 308-4216
  - To Purchase Patentn Software, call (703) 306-2600
  - For Patentn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

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Telephone: (703) 305-3653

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,177	PCT/CA00/01150	1619.0090000/SRL/PJA